

# EXHIBIT A

**UNDISPUTED TERMS<sup>1</sup>**

NO.	TERM	PARTIES' AGREED PROPOSED CONSTRUCTION
1	<b>Fibers</b> ('425 Patent, Claims 1, 3; '458 Patent, Claims 1, 16; '777 Patent, Claims 1, 9, 10)	A thread, strand, filament or wire.
		<b>Reference to Specification:</b> '425 Patent, 13:6-8; 13:21-23; '458 Patent, 4:21-30; 19:19-24; 19:31-36; '777 Patent, 4:21-30; 19:19-24; 19:31-36.
		<b>Reference to Prosecution History:</b>
		<b>Extrinsic Evidence:</b> <a href="https://www.merriam-webster.com/dictionary/fiber">https://www.merriam-webster.com/dictionary/fiber</a>
2	<b>Passport</b> ('156 Patent, Claims 5, 9, 10, 19, 27, 28, 33, 38, 42, 43, 56, 59; '425 Patent, Claims 1, 3-8; '458 Patent, Claims 1-20; '777 Patent, Claims 1, 8)	A passport booklet.
		<b>Reference to Specification:</b> '156 Patent, 20:11-25; 20:26-30; 20:39-45; Figures 18, 19 and 20, claims 9, 10, 19, 27, 28, 33, 38, 42, 43, 50, 56, 59; '425 Patent, claim 1.

<sup>1</sup> Plaintiff has informed Defendant and Intervenor that it is no longer asserting the claim in which the disputed term, “normally off” is found, thereby mooted the need to construe that disputed term. Thus, the term is omitted from this submission.

		'458 Patent, 34:60-35:8; 35:10-14; 35:23-34; Figures 39, 40 and 41; claim 1 '777 Patent, 4:21-30; 13:17-21; 25:35-46; Figures 11-13, and 28; claims 1, 11.
		<b>Reference to Prosecution History:</b> Joint Claim Construction Appendix at pages 2203-2209 ('777 Patent File History); Joint Claim Construction Appendix at pages 2588-2603, 2643-2654 ('425 Patent File History).
		<b>Extrinsic Evidence:</b> <a href="https://www.merriam-webster.com/dictionary/passport">https://www.merriam-webster.com/dictionary/passport</a>
3	<b>RFID Tag</b> ( '425 Patent, Claims 1 and 6; '156 Patent, Claims 1-45, 50, 51, 53-60; '458 Patent, Claims 1-5, 7-9, 12, 17 - 20; '777 Patent, Claims 1, 2, 6, 11, 13-16, 18, 20-23, and 25)	Radio Frequency Identification Tag
		<b>Reference to Specification:</b> '425 Patent, 1:34-56; '156 Patent, 1:49-67; '458 Patent, 2:19-35; '777 Patent, 2:19-35.
		<b>Reference to Prosecution History:</b>
		<b>Extrinsic Evidence:</b> <a href="https://en.wikipedia.org/wiki/Radio-frequency_identification">https://en.wikipedia.org/wiki/Radio-frequency_identification</a> ; Lawrence Harte, Wireless Dictionary (2005).
4	<b>Responsive or Response</b> ( '156 Patent, Claims 1, 4, 11, 14, 20, 24, 29, 31, 34, 39, 44, 49, 51, 53, 54, 57, and 60; '458 Patent, Claims 2-5 and 17; '777 Patent, Claims 7, 8 and 23)	Responsive – plain and ordinary meaning  Response – plain and ordinary meaning

		<b>Reference to Specification:</b> '156 Patent, 3:18-42; 7:30-35; 19:23-32; 21:32-49; 21:65-22:2; and Figures 19 and 20; '458 Patent, 5:13-26; 9:15-34; 34: 4-14; 36:17-34; 36:50-55; and Figures 40 and 41; '777 Patent, 5:13-26; 9:15-34; 34:4-14; 36:17-34; 36:50-55; and Figures 40 and 41.
		<b>Reference to Prosecution History:</b>
		<b>Extrinsic Evidence:</b> <a href="https://www.merriam-webster.com/dictionary/response">https://www.merriam-webster.com/dictionary/response</a> ; <a href="https://www.merriam-webster.com/dictionary/responsive">https://www.merriam-webster.com/dictionary/responsive</a>
5	<b>State memory</b> ('156 Patent, Claims 1, 4, 6, 7, 11, 14, 20, 24, 29, 34, 39, 44, 47, 51 – 54, 57, and 60; '458 Patent, Claims 8 and 19; '777 Patent, Claim 16)	Volatile memory, non-volatile memory, FLASH, SDRAM, ROM, DDRAM, or DRAM which stores/holds the status of an RFID Tag.
		<b>Reference to Specification:</b> '156 Patent, Claims 1, 4, 14, 51 and 53 and 3:43-4:9; 19:53-64; 21:31-37; and Figures 18 and 19; '458 Patent, Claims 1, 6, 8 and 19 and 5:27-61; 34:34-45; 34:60-35:8; 36:17-22; and Figures 39 and 40; '777 Patent, 5:27-61; 34:34-45; 34:60-35:8; 36:17-22; and Figures 39 and 40.
		<b>Reference to Prosecution History:</b>
		<b>Extrinsic Evidence:</b>
6	<b>Key memory</b> ('156 Patent, Claims 1, 11, 14, 24, 44, 51 and 53; '458 Patent, Claims 5 and 6; '777 Patent, Claims 8 and 23)	Volatile memory, non-volatile memory, FLASH, SDRAM, ROM, DDRAM, or DRAM which stores/holds a key of an RFID Tag.

		<b>Reference to Specification:</b> '156 Patent, Claims 1, 14, 51 and 53 and 3:43-4:9; 12:44-60; 20:4-10; 21:26-31; and Figures 18 and 19; '458 Patent, Claims 1, 5 and 6 and 5:27-61; 27:15-31; 34:52-59; 35:9-13 and Figures 39 and 40; '777 Patent, Claims 2, 8, and 23 and 5:27-61; 27:15-31; 34:52-59; 35:9-13; and Figures 39 and 40.
		<b>Reference to Prosecution History:</b>
		<b>Extrinsic Evidence:</b>
7	<b>Switch</b> ('156 Patent, Claims 20, 23, 29, 31, 34, 36, 39, 40, 44 and 46; '777 Patent, Claims 2-5, 7, 8)	A control device that makes or breaks an electrical connection in a circuit
		<b>Reference to Specification:</b> '777 Patent, 8:26-57; 22:28-67; 23:16-24; 23:44-65; 30:30-33; 31:4-13; Figures 23, 24, 25A-B, 31.
		<b>Reference to Prosecution History:</b>
		<b>Extrinsic Evidence:</b>

# EXHIBIT B

**DISPUTED TERMS**

<b>NO.</b>	<b>TERM</b>	<b>PLAINTIFFS' PROPOSED CONSTRUCTION</b>	<b>DEFENDANTS' PROPOSED CONSTRUCTION</b>
1	<b>ON/OFF State</b> ( '156 Patent, Claims 1-3, 7, 11, and 14-17)	A switchable status of an RFID Tag which includes an OFF state and at least one ON state.	A switchable status in which the RFID tag will not transmit in response to receiving an RF signal when it is in an OFF state and will transmit in response to receiving an RF signal when it is in an ON state.
		<b>Reference to Specification:</b> '156 Patent, 19:23-32; 19:53-55; 20:4-10; 20:50-61; 21:65-22:8; and Figures 18, 19 and 20.	<b>Reference to Specification:</b> '156 Patent 3:17-28; 3:63-4:8; 4:9-28; 7:17-35; 19:23-32; 21:65-22:8; and Figures 19 and 20.
		<b>Reference to Prosecution History:</b>	<b>Reference to Prosecution History:</b> Joint Claim Construction Appendix at pages 2490-91 ( '156 Patent File History).
		<b>Extrinsic Evidence:</b>	<b>Extrinsic Evidence:</b>
2	<b>Shield / Shielding</b> ( '425 Patent, Claims 1,2,4, 5,7; '458 Patent, Claims 1, 10, 11, 13; '777 Patent, Claims 1, 12)	A material such as a metallic fiber that attempts to prevent reading of an RFID tag by blocking radio frequency signals.  To attempt to prevent the transmission of radio frequency signals.	Plain and ordinary meaning
		<b>Reference to Specification:</b> '425 Patent, 1:66-2:18; 2:37-64; 3:56-64; 4:5-23;7:22-37;	<b>Reference to Specification:</b> '425 Patent, 1:66-2:18; 2:37-64; 3:56-64; 4:5-23;7:22-37; 13:8-23

NO.	TERM	PLAINTIFFS' PROPOSED CONSTRUCTION	DEFENDANTS' PROPOSED CONSTRUCTION
		'458 Patent, 2:39-58; 3:10-45; 4:21-39; 13:25-41; '777 Patent, 2:39-58; 2:54-58; 3:10-45; 4:12-65, 13:25-41.	'458 Patent, 2:39-58; 3:10-45; 4:21-39; 13:25-41; 19:4-47 '777 Patent, 2:39-58; 2:54-58; 3:10-45; 4:12-65, 13:25-41; 19:4-47.
		<b>Reference to Prosecution History:</b>	<b>Reference to Prosecution History:</b>
		<b>Extrinsic Evidence:</b> Lawrence Harte, Wireless Dictionary (2005); <a href="https://www.google.com/search?q=Dictionary#dobs=shield">https://www.google.com/search?q=Dictionary#dobs=shield</a> ; Harry Newton, Newton's Telecom Dictionary (15 <sup>th</sup> ed. 1999).	<b>Extrinsic Evidence:</b> Lawrence Harte, Wireless Dictionary (2005); <a href="https://www.google.com/search?q=Dictionary#dobs=shield">https://www.google.com/search?q=Dictionary#dobs=shield</a> ; Harry Newton, Newton's Telecom Dictionary (15 <sup>th</sup> ed. 1999).
3	<b>Switch Logic</b> ( '156 Patent, Claims 1, 11, 14, 20, 24, 29, 34, and 39; '458 Patent, Claims 6, 7, 8, 18 and 19)	Software, hardware or firmware that can control a switch.	Governed by 35 U.S.C. § 112(6).  <u>Function:</u> (i) receiving data from an input, (ii) reading a key from a key memory, (iii) comparing the received data with the read key, (iv) changing the state of the RFID tag in response to the comparison, and (v) determining whether to provide an RF signal to an antenna for transmission.  <u>Corresponding Structure:</u> Item 1860 (or 3960), including software, hardware or firmware configured to perform the function.  Indefinite, insufficient corresponding structure under § 112(6).
		<b>Reference to Specification:</b> '156 Patent, Claims 1 and 14 and 3:15-21;	<b>Reference to Specification:</b> '156 Patent, 20:11-25; 20:26-36; Figures 18, 19



NO.	TERM	PLAINTIFFS' PROPOSED CONSTRUCTION	DEFENDANTS' PROPOSED CONSTRUCTION
		3:35-42; 3:55-62; 4:52-65; 8:3-32; 8:57-9:16; 11:3-40; 20:11-21:6; 23:5-9 and 24:21-25 and Figures 1, 2, 7, 8, 18, 19 and 20; '458 Patent, Claims 6, 7, 8, 18 and 19 and 4:66-5:8; 5:18-26; 5:39-47; 7:49-58; 24:29-25:46; 22:6-9; 22:28- 24:50; 25:35-46; 25:63-26:7; 34:60-35:58 and Figures 22-26B, 28, 29, 39, 40 and 41 '777 Patent, Claims 2-5, 7 and 8 and 4:66-5:8; 5:18-26; 5:39-47; 7:49-58; 24:29-25:46; 22:6-9; 22:28-24:50; 25:63-26:7; 34:60-35:58 and Figures 22-26B, 28, 29, 39, 40 and 41.	and 20; '458 Patent, 34:60-35:8; 35:9-22; Figures 39, 40 and 41; '777 Patent, 34:60-35:8; 35:9-22.
		<b>Reference to Prosecution History:</b>	<b>Reference to Prosecution History:</b>
		<b>Extrinsic Evidence:</b> Microsoft Computer Dictionary, 5 <sup>th</sup> edition 2002, page 505; <a href="https://www.merriam-webster.com/dictionary/switch">https://www.merriam-webster.com/dictionary/switch</a>	<b>Extrinsic Evidence:</b> Microsoft Computer Dictionary, 5 <sup>th</sup> edition 2002, page 505; <a href="https://www.merriam-webster.com/dictionary/switch">https://www.merriam-webster.com/dictionary/switch</a>
4	<b>Responsive State</b> ( '458 Patent, Claims 2 and 18)	A state in which an RFID tag is available to react	Plain and ordinary meaning
		<b>Reference to Specification:</b> '156 Patent, Claims 1 and 14 and 3:15-21; 3:35-42; 3:55-62; 4:52-65; 8:3-32; 8:57-9:16; 11:3-40; 20:11-21:6; 23:5-9 and 24:21-25 and Figures 1, 2, 7, 8, 18, 19 and 20; '458 Patent, Claims 6, 7, 8, 18 and 19 and 4:66-5:8; 5:18-26; 5:39-47; 7:49-58; 24:29-25:46; 22:6-9; 22:28- 24:50; 25:35-46; 25:63-26:7; 34:60-35:58 and Figures 22-26B, 28, 29, 39, 40 and 41	<b>Reference to Specification:</b> '156 Patent, 20:11-25; 20:26-36; Figures 18, 19 and 20; '458 Patent, 34:60-35:8; 35:9-22; Figures 39, 40 and 41; '777 Patent, 34:60-35:8; 35:9-22.

NO.	TERM	PLAINTIFFS' PROPOSED CONSTRUCTION	DEFENDANTS' PROPOSED CONSTRUCTION
		'777 Patent, Claims 2-5, 7 and 8 and 4:66-5:8; 5:18-26; 5:39-47; 7:49-58; 24:29-25:46; 22:6-9; 22:28-24:50; 25:63-26:7; 34:60-35:58 and Figures 22-26B, 28, 29, 39, 40 and 41.	
		<b>Reference to Prosecution History:</b>	<b>Reference to Prosecution History:</b>
		<b>Extrinsic Evidence:</b> Microsoft Computer Dictionary, 5 <sup>th</sup> edition 2002, page 505; <a href="https://www.merriam-webster.com/dictionary/switch">https://www.merriam-webster.com/dictionary/switch</a>	<b>Extrinsic Evidence:</b> Microsoft Computer Dictionary, 5 <sup>th</sup> edition 2002, page 505; <a href="https://www.merriam-webster.com/dictionary/switch">https://www.merriam-webster.com/dictionary/switch</a>